



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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NOV 15 2002

Paper No. 9

In re Application of :
Norio Kimura *et al* : DECISION ON PETITION
Application No. 09/777,707 :
Filed: February 7, 2001 :
Attorney Docket No. 2001_0122A :

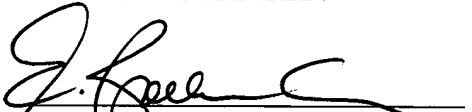
This is a decision on the petition filed on September 27, 2002 by which petitioners request withdrawal of the holding that this application stands abandoned for failure to file a reply to the Office letter dated December 7, 2001, the period set therein having been restarted to run three months from January 7, 2002. the date upon which that letter was actually received. No fee is required for the petition.

The petition is granted.

Petitioners allege that a timely reply to the Office letter in question was in fact filed. Petitioners support this allegation by including a copy of the reply, and a copy of a filing receipt for the reply showing that the reply was actually received in the Office on April 8, 2002, a Monday. Therefore, petitioners have established that this application was not in fact abandoned because a reply was received in the Office within three months from January 7, 2002.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the examiner for action on the reply filed on April 8, 2002.

PETITION GRANTED.


E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

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